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BY ECF & E-MAIL:
Hon. Richard J. Sullivan
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *Nnebe v. Daus*, No. 06-cv-4991 (RJS); *Stallworth v. Joshi*, No. 17-cv-7119 (RJS)

Your Honor:

We are counsel to the plaintiffs in the above-referenced cases and are writing to update the record with regard to our pending motions for injunctive relief.

Since the motions were fully briefed on May 1, 2020, there have been 14 reported decisions on post-suspension hearings. This means that, even now, fewer than two percent of the drivers who have been suspended are obtaining relief via this route (based on the 167 suspensions per month reported in Mr. Akinlolu's declaration, ECF # 445, ¶ 14). Also since the motions were fully briefed, it remains the case that, on average, even drivers who prevail at hearings are denied their livelihoods for more than two months. As before, the vast majority of reinstatements occur through operation of the criminal justice system, which is moving more *slowly* now than it did in the years leading up to the Second Circuit's decision. That hearings remain so rare and that even drivers who win their hearings suffer lengthy deprivations is, as we have argued, compelling evidence that the TLC has not fully taken up the responsibilities it owes drivers under the Constitution. Certainly, the TLC has done nothing in the past five months to alert impacted individuals that an ostensibly new regime is operating. And it has yet to amend its rules or announce any new practices with regard to its suspension-on-arrest system.

In short, despite some improvements in the post-suspension process, the need for injunctive relief remains urgent.

Respectfully submitted,

/s/

Daniel L. Ackman
David T. Goldberg
Shannon Liss-Riordan

cc: All Counsel (by ECF)